

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

May 30, 2007

Sergeant Jose Bolanos, #[redacted]

Dear Sergeant Bolanos:

On October 27, 2006, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2181552. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that pursuant to a settlement agreement, you are suspended without pay from your position of Sergeant, Item No. 2717A, with this Department for a period of six (6) days effective June 3, 2007 through June 8, 2007.

An investigation under File Number IAB 2181552, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about May 29, 2005, you failed to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department by failing to properly maintain control and/or supervise Deputy personnel during an armed, barricaded suspect incident at [redacted] in [redacted] involving deceased Suspect Miguel Carlos, as evidenced by, but not limited to, the following:

    a) failing to approach this incident as a barricaded suspect containment and request and/or obtain the necessary

Department resources (deployment of less than lethal weapons other than the M-26 Taser) and/or people (i.e., additional Deputy personnel to assist in deployment of other less lethal weapons, a Special Weapons Team, and/or Crisis Negotiators) to safely respond and address the tactical operation, and/or;

b) videotaping the incident yourself instead of designating a subordinate to do so, or requesting additional personnel to do so, thereby compromising your ability to effectively supervise a critical incident, and/or;

c) failing to safeguard the welfare of a member of the public, the decedent's [redacted] who was shot in the leg during the incident, and/or;

d) failing to accurately assess the level of threat posed by Suspect Miguel Carlos and accordingly plan for, adjust, modify and/or supervise the response of Deputy personnel from an investigative mode to an arrest mode, and/or;

e) failing to adequately direct or intercede in pulling back the Deputies who were positioned closest to Apartment [redacted] to a position of greater tactical advantage and containment, thus generating a potential cross-fire situation, and/or;

f) failing to have a sufficient number of personnel on scene, resulting in the arrest team of Deputies Evans and Guillen serving a dual role as designated lethal force and back-up to Deputy Corrales in the event the deployment of the M-26 Taser was ineffective.

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

SMR:KM:rjb

c: Advocacy Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
San Dimas Station/unit Personnel File

3-01/050.10 Performance to Standards **

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department.

Incompetence may be demonstrated by:

- A lack of knowledge of the application of laws required to be enforced
- An unwillingness or inability to perform assigned tasks
- The failure to conform to work standards established for the member's rank or position
- Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention
- Absence without leave
- Unnecessary absence from an assigned area during a tour of duty.

In addition to the above, the following will be considered to be prima facie evidence of incompetence:

- Repeated poor evaluations
- A written record of repeated infractions of the Department's rules, regulations, manuals, or directives.



SETTLEMENT AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Sergeant Jose Bolanos, Employee No. [redacted] hereinafter referred to as "Grievant."

The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intent dated October 27, 2006, (IAB No. 2181552) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. The Department will, upon execution of this Agreement, reduce the intended ten (10) day suspension to a six (6) day suspension. The Letter of Imposition shall contain the same charge as the Letter of Intent.

2. The Grievant agrees to withdraw his grievance and waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline.

3. The parties further agree that this Settlement Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

4. In consideration of the terms and conditions set forth herein, Grievant agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Grievant concerning the subject matter of the grievance referred to herein.

5. The Grievant further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

5-1-07
RO

6. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this Agreement.

7. The parties agree that the foregoing comprises the entire Agreement between the parties and that there have been no other promises made by any party. Any modification of this Agreement must be in writing.

I have read the foregoing Settlement Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

For the Sheriff's Department:

Date: April 17, 07

Date: 4/19/07

Jose Bolanos, Sergeant

Ronnie Williams, Chief



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

October 27, 2006

Sergeant Jose Bolanos, [redacted]

Dear Sergeant Bolanos:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Sergeant, Item No. 2717A, with this Department, for a period of ten (10) days.

An investigation under File Number IAB 2181552, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about May 29, 2005, you failed to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department by failing to properly maintain control and/or supervise Deputy personnel during an armed, barricaded suspect incident at [redacted] in [redacted] involving deceased Suspect Miguel Carlos, as evidenced by, but not limited to, the following:

   a) failing to approach this incident as a barricaded suspect containment and request and/or obtain the necessary Department resources (deployment of less than lethal weapons other than the M-26 Taser) and/or people (i.e., additional Deputy personnel to assist in deployment of other less lethal weapons, a Special Weapons Team, and/or Crisis Negotiators) to safely respond and address the tactical operation, and/or;

   b) videotaping the incident yourself instead of designating a subordinate to do so, or requesting additional personnel to do

so, thereby compromising your ability to effectively supervise a critical incident, and/or;

c) failing to safeguard the welfare of a member of the public, the decedent's [redacted] who was shot in the leg during the incident, and/or;

d) failing to accurately assess the level of threat posed by Suspect Miguel Carlos and accordingly plan for, adjust, modify and/or supervise the response of Deputy personnel from an investigative mode to an arrest mode, and/or;

e) failing to adequately direct or intercede in pulling back the Deputies who were positioned closest to Apartment [redacted] to a position of greater tactical advantage and containment, thus generating a potential cross-fire situation, and/or;

f) failing to have a sufficient number of personnel on scene, resulting in the arrest team of Deputies Evans and Guillen serving a dual role as designated lethal force and back-up to Deputy Corrales in the event the deployment of the M-26 Taser was ineffective.

Prior to determining this disciplinary action, the Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Susan Young, of Internal Affairs Bureau, at (323) 890-5311, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

SMR:KM:sy

c: Advocacy Unit
Employee Relations Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2181552)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: January 5, 2007

FILE NO.:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: STEVEN M. ROLLER, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, MAY 29, 2005, SH2149480 (INVESTIGATION #IV2181552)**

The purpose of this memo is to notify you of the Review Committee's findings and recommendations concerning the use of force incident which occurred on May 29, 2005.

The Committee met on October 12, 2006, and consisted of myself and Commanders Eric B. Smith (Leadership and Training Division) and Cecil W. Rhambo (FOR I). The Committee determined the use of force by Deputies Joshua Corrales #[redacted] Antonio Guillen #[redacted] and Arthur M. Evans #[redacted] was within Department policy.

Please advise the deputies of this finding.

The Committee directs the unit commander to send Deputies Corrales, Guillen, and Evans to the Continuing Professional Training (CPT) class conducted by the Department. The APIS Roster of the training attended must be returned with the Unit Commander Response form.

JGJ:MOT:mt

761551N25A - SH - AD - 32A (11/02)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: October 12, 2006

FILE NO.:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: STEVEN M. ROLLER, CAPTAIN
CENTURY STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, MAY 29, 2005, INVESTIGATION #IV2181552 (SH2149480)**

The purpose of this memo is to notify you of the Review Committee's findings and recommendations concerning the use of force incident which occurred on May 29, 2005.

The Committee met on October 12, 2006, and consisted of myself and Commanders Eric B. Smith (Leadership and Training Division) and Cecil W. Rhambo (FOR I).

The Committee deemed:

- as **Founded** the allegation that Sergeant Jose Bolanos, #[redacted] violated the Department's Manual of Policy and Procedure Section 3-01/050.10: Performance to Standards regarding tactics and supervision.
-

The Committee recommended that Sergeant Jose Bolanos, #[redacted] receive a **10 day Suspension** with loss of pay and benefits.

JGJ:MAH:mh

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 06/27/05	Bureau/Station/Facility: CENTURY STATION	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 005-09062-2116-013	Date: 05/29/05 Time: 2326 Hrs.
City or Station: CENTURY STATION	Nature of Incident: Deputies attempted to contact the suspect re: a 245 JO. Efforts to contact the suspect met with negative results. The suspect's [redacted] attempted to have the suspect exit the residence. The suspect responded by charging at the deputies with large knives in both hands. Deputies deployed a taser but it was ineffective. The deputies, fearing for their safety, fired their duty weapons striking the suspect.
Location: [redacted] Virginia Ave., Lynwood, Ca.	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: quad area

Lighting (*circle only one*): **Darkness** (circled), Daylight, Other, Street Lights

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, **Armed Person** (circled), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other:

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol** (circled)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit? ☐	Canine Unit? ☐
21	0		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Von Arx	Sean	R	**EM** (circled) PM Day	**Regular** (circled) Overtime Off Duty
[redacted]	Cruz	Joel		EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	City [redacted]	Zip Code	Work Ph	Home Ph	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Bolanos	Jose	L	**On Duty** (circled), Witness to shooting, **Present during shooting** (circled), **Involved in shooting** (circled)
				On Duty, Witness to shooting, Present during shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Sill	Derek	K

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Carroll	Sonia	D

PSTD Use Only

SH # ____________

SH-R-438A rev. 3/97

See Reverse

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
05/30/05	0251		

Employee #	Last Name	First Name	M.I
[redacted]	Key	Gregory	L.
[redacted]	Morejon	Elier	
[redacted]	Seno	Ben	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	DH	CH
E#2	S#1	FH	BR	9	Y	Y	DH	CH
E#3	S#1	FH	BR	9	Y	Y	DH	CH
E#4	S#1	FH	BR	9	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information



URN: 005-09062-2116-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Corrales	First Name: Joshua	M.I.:
Sex: M Race: H	Rank: Deputy	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 212E1
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting:	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / **(Uniform w/ Vest)**	Other Factors:
Age: [redacted] Height: 510	Weight: 180		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name: Guillen	First Name: Antonio	M.I.:
Sex: M Race: H	Rank: Deputy	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 212D1
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting: 6 -7 Hours	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / **(Uniform w/ Vest)**	Other Factors:
Age: [redacted] Height: 600	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 3

Employee # [redacted]	Last Name: Evans	First Name: Arthur	M.I.: M
Sex: M Race: H	Rank: Deputy	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 212H
ShiftTime (*circle only one*): **(EM)** PM Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting:	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / **(Uniform w/ Vest)**	Other Factors:
Age: [redacted] Height: 511	Weight: 230		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp #	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name [redacted]	First Name [redacted]	M.I.

Officer Involved Shooting
Involved Employee Information



URN: 005-09062-2116-013

Involved Employee

E 4

Employee # [redacted]	Last Name: Bolanos	First Name: Joe	M.I.: L
Sex: M Race: H	Rank: Sergeant	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): 212S
ShiftTime (*circle only one*): **(EM)** PM Day	ShiftType (*circle only one*): **(Regular)** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting:	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / **(Uniform w/ Vest)**	Other Factors:
Age: [redacted]	Height: 602 Weight: 170		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age:	Height: Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age:	Height: Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

ficer Involved Shooting
Suspect Information



Suspect Information

S 1

Last Name CARLOS	First Name MIGUEL	M.I. A.
AKA Last Name	First Name	M.I.

Sex: M Race: H	Street Address:	City [redacted]	[redacted]ip Code:
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 27 D.O.B. 10/02/77	Height: 5'08" Weight: 157	FBI #	CII # [redacted]
Booking # Deceased	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2005-04127	Intoxication/Drug Usage? ☒	Substance Used: Alcohol
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I. [redacted]	
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY• Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

RICHARD D. DOYLE • Director

November 30, 2005

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbaker Road
Commerce, California 90040

In Re: J.S.I.D. File #: 05-0328
L.A.S.D. File #: 005-09062-2116-013

Dear Captain Peavy:

The Justice System Integrity Division of Los Angeles County District Attorney's Office has completed its review of the May 29, 2005 fatal shooting of Miguel Angel Carlos by Los Angeles County Sheriff's Deputies Joshua Corrales, Arthur Evans, Antonio Guillen, and Sergeant Jose Bolanos. We have concluded that the deputies and sergeant acted lawfully in self-defense and the defense of others during this incident.

The following analysis is based upon reports prepared by the Los Angeles County Sheriff's Department (LASD), Homicide Bureau, and submitted to this office on November 14, 2005 by Detective Dameron Peyton. The District Attorney's Command Center was notified of this incident and Deputy District Attorney William H. Johnson and District Attorney Senior Investigator [redacted] immediately responded to the scene. They were given a briefing of the shooting and a walk-through of the scene by investigators. No compelled statements were considered as part of this analysis.

FACTUAL ANALYSIS

On May 29, 2005, at approximately 11:26 p.m., LASD deputies responded to a disturbance call at [redacted] Miguel Carlos was present at a barbecue hosted by [redacted] when he became irate and challenged others to fight. [redacted] saw Miguel stab her unarmed [redacted] in the right bicep with a knife. A frantic boy, [redacted] flagged-down Deputy Guillen and his partner Reserve Deputy Joel Cruz and told them his [redacted] was in a fight with a man and had been cut. Deputy Guillen spoke with victim [redacted] and called for back-up units to assist them. Along with assisting deputies, Deputy Guillen saw Miguel Carlos in apartment [redacted] armed with butcher knives in each hand and moving them around in a combative manner. As the deputies attempted to contact Miguel, he bolted from the apartment

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armed with the butcher knives waving them in a threatening manner as he lunged toward Deputies Corrales and Evans. The blades of the knives measured 8½" and 9" respectively. Both [redacted] and [redacted] saw Miguel "lunge" at the deputies. During the incident, Miguel's [redacted] was inadvertently shot and wounded in his right leg as he tried to assist deputies in talking to his [redacted] also saw his [redacted] Miguel run out of the apartment toward the deputies armed with the knives. As Miguel lunged at him, Deputy Corrales used his taser weapon on Miguel with no effect and then fired his service weapon in self-defense. Miguel then lunged at Deputy Evans. Fearing for his life, Deputy Evans fired his service weapon at Miguel. Fearing for the lives of others, Deputy Guillen and Sergeant Bolanos also fired their service weapons at Miguel who continued to lunge at deputies while armed with the butcher knives. Miguel was struck 17 times and pronounced dead at the scene by paramedics.

Sheriff's investigators interviewed witness [redacted] who stated that shortly after 11:00 p.m., she heard several people arguing and breaking bottles in the apartment complex parking area during the barbecue. She saw Miguel Carlos enter Apartment [redacted] before the deputies arrived. As the deputies ordered Miguel to exit the apartment, [redacted] saw Miguel run out of the apartment toward the deputies with two large butcher knives in his hands. As the deputies started shooting at Miguel, she ducked for cover on her apartment floor.

On June 1, 2005, Deputy Medical ExaminerYulai Wang, M.D., conducted an autopsy on the body of Miguel Carlos and ascribed the cause of death to be multiple gunshot wounds. Toxicological reports show that Miguel had alcohol, amphetamine, cocaine, and methamphetamine in his system at the time of the incident.

CONCLUSION

California law permits the use of deadly force in self-defense or in the defense of others if it reasonably appears to the person claiming such right that he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. *People v. Williams, (1977) 75 Cal.App.3d 731.* In protecting oneself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person in the same or similar circumstances to be necessary to prevent the injury which appears to be imminent. *California Jury Instructions—Criminal (CALJIC), 5.30 and 5.32.*

Actual danger is not necessary to justify the use of deadly force in self-defense or the defense of others. If one is confronted by the appearance of danger, which one believes would result in great bodily injury or death, and a reasonable person in the same position would so believe, one may act upon those circumstances. The right of self-defense is the same whether the danger is real or merely apparent. *People v. Toledo, (1948) 85 Cal.App.2d 577.*

The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight….The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-

second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. *Graham v. Conner, (1989) 490 U.S. 386.* When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. *People v. Collins, (1961) 189 Cal.App.2d 575.*

Miguel Carlos had ingested alcohol, amphetamine, cocaine, and methamphetamine prior to attending a barbecue where he became combative and threatening toward others. Armed with a knife, he stabbed [redacted] After deputies arrived at the scene, Miguel could be seen inside of apartment [redacted] armed with two long butcher knives waving them in a combative manner. Once he decided to exit the apartment, Miguel attacked Deputies Corrales and Evans with the knives. Deputy Corrales initially used less than lethal force, a taser, but to no avail. In fear of serious bodily injury and death, Deputy Corrales then fired his service weapon at Miguel. Next, Miguel turned his attack toward Deputy Evans who also fired his service weapon fearing serious bodily injury and death. Deputy Guillen and Sergeant Bolanos fired their service weapons at Miguel fearing imminent serious bodily injury and death to Deputies Corrales and Evans.

Miguel Carlos created a deadly situation by attacking the deputies with two butcher knives. After the use of non-lethal taser force failed to subdue him, the deputies had no alternative but to use deadly force to protect themselves and others. The wounding of [redacted] was an unintended accident brought on by his [redacted] Miguel's actions. Based upon the evidence of this incident, the use of deadly force by Deputies Joshua Corrales, Arthur Evans, Antonio Guillen, and Sergeant Jose Bolanos to end the threat of imminent serious bodily injury and death posed by Miguel Carlos was necessary. We find that the deputies acted lawfully in self-defense and the defense of others. Therefore, we are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By *William H. Johnson*

WILLIAM H. JOHNSON
Deputy District Attorney
(213) 974-5089

c: Deputy Joshua Corrales, #[redacted]
Deputy Arthur Evans, #[redacted]
Deputy Antonio Guillen, #[redacted]
Sergeant Jose Bolanos, #[redacted]